

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

<p>ROBERT JAHODA,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>POSHMARK, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>No. 2:19-cv-00267-AJS</p> <p>LEAD CASE</p>
<p>ROBERT JAHODA,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>COMBATANT GENTLEMEN, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>No.: 2:19-cv-00290-AJS</p> <p>MEMBER CASE</p>

**AFFIDAVIT IN SUPPORT OF
PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT**

In support of Plaintiff's Motion for Default Judgment, I state the following under penalty of perjury:

1. Defendant is a Delaware corporation. Defendant does not have a registered agent. *See* Combatant Gentlemen, Inc., Delaware Entity Details (attached hereto as Exhibit A). Defendant's headquarters is located at 16842 Von Karman Ave #450, Irvine, CA 92606. *See* Combatant Gentlemen, Inc., California Entity Details (attached hereto as Exhibit B).

2. On March 18, 2019, Plaintiff filed a Complaint for Declaratory and Injunctive Relief against Defendant seeking a permanent injunction requiring a change in Defendant's corporate policies to cause its online store to become and remain accessible to individuals who are partially sighted, visually impaired, or totally blind. *See* Complaint, Case Member No. 2:19-cv-00290-AJS, ECF 1 at ¶ 3 (Mar. 18, 2019).

3. Because Defendant does not have a Registered Agent, Plaintiff served the Complaint and Summons on Vishaal Melwani, Defendant's Founder and CEO, at Defendant's California headquarters on March 22, 2019 by personal service. *See* Summons/Return of Service Returned Executed, Lead Case No. 2:19-cv-00267-AJS, ECF No. 13 (Mar. 28, 2019).

4. The Summons instructed Defendant to answer or respond within twenty-one (21) days of service. Defendant's answer due date was April 12, 2019. *Id.*

5. Defendant has failed to answer, respond, or appear in this action seeking declaratory judgment, a permanent injunction, and attorneys' fees and costs.

6. The Clerk of the United States District Court for the Western District of Pennsylvania entered default against Defendant on June 14, 2019. *See* Clerk's Entry of Default as to Combatant Gentlemen, Inc., Lead Case No. 2:19-cv-00267-AJS, ECF 130.

7. On June 14, 2019, Plaintiff's counsel served a copy of the Clerk's Entry of Default as to Combatant Gentlemen, Inc. upon Defendant via FedEx. Defendant's representative, "S. Skylar", signed for the FedEx delivery on June 17, 2019 at Defendant's front Desk. *See* FedEx Proof-of-Delivery (attached hereto as Exhibit E). Plaintiff's counsel also emailed copies of the Clerk's Entry of Default as to Combatant Gentlemen, Inc. to Defendant and Defendant's CEO, Vishaal Melwani, at the email addresses below:

- a. hello@combatgent.com;
- b. vishaal@combatgent.com;
- c. vishaalmelwani@gmail.com; and
- d. vishaal.melwani@gmail.com.

See Plaintiff's Counsel's June 14, 2019 Email (attached hereto as Exhibit F).

8. Defendant is not an infant, incompetent person or a member of the military service.

Respectfully submitted on August 13, 2019,

/s/ R. Bruce Carlson

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